

REMARKS

Applicants filed an RCE and accompanying amendment on June 30, 2004 which presented eight (8) claims numbered 50-57. The undersigned inadvertently left out the status of claims 1-35. Furthermore, the undersigned had inadvertently mis-numbered the claims such that the number "49" had not been assigned to any claim and thus, the number "49" was skipped over.

In response to the Notice of Non-Compliant Amendment, (a copy of which is enclosed herewith) Applicants are submitting this amendment which:

- A) recites that claims 1-48 have been cancelled; and
- B) renames claims 50-57, which were previously submitted on June 30, 2004, as claims 49-56, respectively.

Thus, Applicants submit that any and all remarks and arguments supporting patentability presented in the amendment of June 30, 2004 are applicable to renumbered claims 49-56.

The Examiner is urged to call the undersigned if he has any questions concerning this amendment.

Respectfully submitted,

August 5, 2004

By: Raymond A. Nuzzo
Raymond A. Nuzzo
Attorney of Record
Reg. No. 37,199



UNITED STATES PATENT AND TRADEMARK OFFICE

09/848473
 COMMISSIONER FOR PATENTS
 UNITED STATES PATENT AND TRADEMARK OFFICE
 P.O. Box 1450
 ALEXANDRIA, VA 22313-1450
 www.uspto.gov

Paper No. _____

Notice of Non-Compliant Amendment (37 CFR 1.121)

The amendment document filed on 6/30/04 is considered non-compliant because it has failed to meet the requirements of 37 CFR 1.121, as amended on June 30, 2003 (see 68 Fed. Reg. 38611, Jun. 30, 2003). In order for the amendment document to be compliant, correction of the following item(s) is required. Only the corrected section of the non-compliant amendment document must be resubmitted (in its entirety), e.g., the entire "Amendments to the claims" section of applicant's amendment document must be re-submitted. 37 CFR 1.121(h).

THE FOLLOWING CHECKED (X) ITEM(S) CAUSE THE AMENDMENT DOCUMENT TO BE NON-COMPLIANT:

1. Amendments to the specification:
 A. Amended paragraph(s) do not include markings.
 B. New paragraph(s) should not be underlined.
 C. Other _____

2. Abstract:
 A. Not presented on a separate sheet. 37 CFR 1.72.
 B. Other _____

3. Amendments to the drawings: _____

4. Amendments to the claims:
 A. A complete listing of all of the claims is not present.
 B. The listing of claims does not include the text of all claims (including withdrawn claims).
 C. Each claim has not been provided with the proper status identifier, and as such, the individual status of each claim cannot be identified.
 D. The claims of this amendment paper have not been presented in ascending numerical order.
 E. Other: _____

For further explanation of the amendment format required by 37 CFR 1.121, see MPEP Sec. 714 and the USPTO website at <http://www.uspto.gov/web/offices/pac/damm/pnja/nrcgenotice/officesilver.pdf>.

If the non-compliant amendment is a **PRELIMINARY AMENDMENT**, applicant is given **ONE MONTH** from the mail date of this letter to supply the corrected section which complies with 37 CFR 1.121. Failure to comply with 37 CFR 1.121 will result in non-entry of the preliminary amendment and examination on the merits will commence without consideration of the proposed changes in the preliminary amendment(s). This notice is not an action under 35 U.S.C. 132, and this **ONE MONTH** time limit is not extendable.

If the non-compliant amendment is a reply to a **NON-FINAL OFFICE ACTION** (including a submission for an RCE), and since the amendment appears to be a *bona fide* attempt to be a reply (37 CFR 1.135(c)), applicant is given a **TIME PERIOD** of **ONE MONTH** from the mailing of this notice within which to re-submit the corrected section which complies with 37 CFR 1.121 in order to avoid abandonment. **EXTENSIONS OF THIS TIME PERIOD ARE AVAILABLE UNDER 37 CFR 1.136(a).**

If the amendment is a reply to a **FINAL REJECTION**, this form may be an attachment to an **Advisory Action**. **The period for response to a final rejection continues to run from the date set in the final rejection, and is not affected by the non-compliant status of the amendment.**

Rita Street
 Legal Instruments Examiner (LIE)

703-305-5196
 Telephone No. _____